

AMENDMENTS TO THE CLAIMS

1. (currently amended) A method for producing a fertile transgenic plant, comprising the steps of:

- (a) inoculating a regenerable plant cell or tissue selected from the group consisting of wheat immature embryos, maize immature embryos, wheat embryogenic callus, maize embryogenic callus, soybean hypocotyl sections ~~[[or]]~~ and soybean callus suspension cell cultures with a solution comprising *Agrobacterium* containing a genetic component, said genetic component comprising a nucleic acid sequence of interest encoding a selectable or screenable marker that functions in the identification of a transformed plant cell or tissue, to produce an *Agrobacterium*-inoculated explant;
- (b) substantially removing said solution of *Agrobacterium*;
- (c) co-culturing said *Agrobacterium*-inoculated explant in a vessel with about 100 to about 300 microliters of ~~[[a]]~~ media, said media not containing a gelling agent wherein the weight of the *Agrobacterium*-inoculated explant is reduced from about 20% to about 35% by the end of the co-culture period;
- (d) identifying and selecting a transformed plant cell or tissue comprising said genetic component; and
- (e) regenerating a transgenic plant therefrom.

2. (previously presented) The method of claim 1 wherein the regenerable cell or tissue is an immature embryo and is precultured prior to step (a).

3-6. (canceled)

7. (previously presented) The method of claim 1 wherein the co-culture period is from one hour to about 6 days.

8. (previously presented) The method of claim 1 wherein the co-culture period is from about one day to about 4 days.
9. (previously presented) The method of claim 1 wherein the co-culture period is from about one day to about 3 days.
- 10 - 21. (canceled)
22. (currently amended) A method for producing a fertile transgenic plant, comprising the steps of:
- (a) inoculating a regenerable plant cell or tissue selected from the group consisting of wheat immature embryos, maize immature embryos, wheat embryogenic callus, maize embryogenic callus, soybean hypocotyl sections ~~[[or]]~~ and soybean callus cell suspension cell cultures with a solution comprising *Agrobacterium* containing a genetic component, said genetic component comprising a nucleic acid sequence of interest encoding a selectable or screenable marker that functions in the identification of a transformed plant cell or tissue, to produce an *Agrobacterium*-inoculated explant;
 - (b) substantially removing said solution of *Agrobacterium*;
 - (c) co-culturing said *Agrobacterium*-inoculated explant in a vessel with about 100 to about 300 microliters of ~~[[a]]~~ media, said media not containing a gelling agent, wherein the weight of the *Agrobacterium*-inoculated explant is reduced from about 20% to about 35% by the end of the co-culture period and wherein the manner for controlling said reduction in the weight of the *Agrobacterium*-inoculated explant comprises limitation or removal of water from the vessel containing said explant;
 - (d) identifying and selecting a transformed plant cell or tissue comprising said genetic component; and
 - (e) regenerating a transgenic plant therefrom.

23. (previously presented) The method of claim 1 wherein the regenerable cell or tissue is an immature embryo and is precultured prior to step (a).
24. (previously presented) The method of claim 1 wherein the vessel contains filter paper.
25. (canceled)
26. (canceled)
27. (previously presented) The method of claim 22 wherein the vessel contains filter paper.